

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

IVAN GUERRERO-MELCHOR,	)	Case No. 07-853-RSM-JPD
	)	
Plaintiff,	)	
	)	
v.	)	
	)	ORDER DIRECTING SERVICE
STEFAN AURALAID, et al.,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff Ivan Guerrero-Melchor is proceeding *pro se* and *in forma pauperis* in this civil rights suit against three officers of the Seattle Police Department, brought pursuant to 42 U.S.C. § 1983. After careful consideration of the plaintiff's second amended complaint, supporting materials, the governing law and balance of the record, the Court ORDERS as follows:

(1) Service by Clerk. The Clerk of Court is directed to send defendants Officer Stefan Auralaid, Officer P.J. Fox, and Officer Zsolt Dornay, by first class mail, the following: a copy of plaintiff's complaint and of this Order, two copies of the Notice of Lawsuit and Request for Waiver of Service of Summons, a Waiver of Service of Summons, and a return envelope, postage prepaid, addressed to the Clerk's office.

(2) Response Required. The above-named defendants shall have **thirty (30) days** within which to return the enclosed Waiver of Service of Summons. Any defendant who

01 timely returns the signed Waiver shall have **sixty (60) days** after the date designated on the  
02 Notice of Lawsuit to file and serve an answer to the Complaint or a motion permitted under  
03 Rule 12 of the Federal Rules of Civil Procedure.

04 Any defendant who fails to timely return the signed Waiver will be personally served  
05 with a summons and Complaint, and may be required to pay the full costs of such service,  
06 pursuant to Rule 4(d)(2). A defendant who has been personally served shall file an answer or  
07 motion permitted under Rule 12 within **thirty (30) days** after service.

08 (3) Filing and Service by Parties, Generally. All attorneys admitted to practice  
09 before this Court are required to file documents electronically via the Court's CM/ECF system.  
10 Counsel are directed to the Court's website, [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov), for a detailed  
11 description of the requirements for filing via CM/ECF. All non-attorneys, such as *pro se*  
12 parties and/or prisoners, may continue to file a paper original of any document for the Court's  
13 consideration. **A party filing a paper original does not need to file a chambers copy.** All  
14 filings, whether filed electronically or in traditional paper format, must indicate in the upper  
15 right hand corner the name of the Magistrate Judge to whom the document is directed.

16 Additionally, any document filed with the Court must be accompanied by proof that it  
17 has been served upon all parties that have entered a notice of appearance in the underlying  
18 matter.

19 (4) Motions. Any request for court action shall be set forth in a motion, properly  
20 filed and served. Pursuant to amended Local Rule CR 7(b), any argument being offered in  
21 support of a motion shall be submitted as a part of the motion itself and not in a separate  
22 document. **The motion shall include in its caption (immediately below the title of the**  
23 **motion) a designation of the date the motion is to be noted for consideration upon the**  
24 **court's motion calendar.**

25 Stipulated and agreed motions, motions to file overlength motions or briefs, motions  
26 for reconsideration, joint submissions pursuant to the option procedure established in

01 CR37(a)(2)(B), motions for default, requests for the clerk to enter default judgment, and  
02 motions for the court to enter default judgment where the opposing party has not appeared  
03 shall be noted for consideration on the day they are filed. *See* Local Rule CR 7(d)(1). All  
04 other non-dispositive motions shall be noted for consideration no earlier than the third Friday  
05 following filing and service of the motion. *See* Local Rule CR 7(d)(3). All dispositive motions  
06 shall be noted for consideration no earlier than the fourth Friday following filing and service of  
07 the motion.

08 For electronic filers, all briefs and affidavits in opposition to either a dispositive or non-  
09 dispositive motion shall be filed and served not later than 11:59 p.m. on the Monday  
10 immediately preceding the date designated for consideration of the motion. If a party files a  
11 paper original (i.e. a *pro se* and/or prisoner), that opposition must be received in the Clerk's  
12 office by 4:30 p.m. on the Monday preceding the date of consideration. If a party fails to file  
13 and serve timely opposition to a motion, the court may deem any opposition to be without  
14 merit.

15 Additionally, the party making the motion may file and serve, not later than 11:59 p.m.  
16 (if filing electronically) or 4:30 p.m. (if filing a paper original with the Clerk's office) on the  
17 judicial day immediately preceding the date designated for consideration of the motion, a  
18 response to the opposing party's briefs and affidavits.

19 (5) Direct Communications With District Judge or Magistrate Judge. No direct  
20 communication is to take place with the District Judge or Magistrate Judge with regard to this  
21 case. All relevant information and papers are to be directed to the Clerk.

22 (6) The Clerk is directed to send a copy of this Order to the Honorable Robert S.  
23 Lasnik, Chief Judge.

24 DATED this 23rd day of October, 2007.

25   
26 JAMES P. DONOHUE  
United States Magistrate Judge